

DEPARTMENT OF HUMAN SERVICES  
DIVISION OF JUVENILE JUSTICE SERVICES  
YOUTH PAROLE AUTHORITY  
POLICY AND PROCEDURES

Policy No.: 08-03	Effective Date: 07/04	Revision Date: 08/31/04
Subject: Youth Parole Hearings		

**Policy Statement**

It is the policy of the Authority to provide a professional and orderly youth parole hearing process

**Rationale**

To conduct youth parole hearings in an orderly and professional manner.

**Procedures**

- A. The administrative officer or their designee shall be responsible for the collection and distribution of all case material. Information for hearings shall include the youth's prior history, current situation, and events in the case since any previous hearing, information about future plans, and relevant conditions in the community.
- B. The information shall be delivered to the designated members at least five (5) days prior to the scheduled hearing.
- C. The administrative officer shall prepare a calendar of scheduled hearings, seven (7) days in advance.
- D. On any one-calendar day, the administrative officer shall not schedule more than twelve (12) full hearings. The logistics in scheduling all hearings is the responsibility of the Authority's administrative officer.
- E. The Authority considers a full hearing to constitute a personal appearance before the Authority in which all the facts of the case are reviewed and allows for presentation of evidence and/or statements by involved parties.
- F. The following are determined to be full hearings:
  - 1. Initial, Progress, and Parole Review Hearings
  - 2. Rescission Hearings
  - 3. Parole Revocation Hearings

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- G. The administrative officer is responsible for notifying youth of scheduled initial and parole review hearings in writing fourteen (14) days prior to all hearings, whenever possible.
- H. Youths have the right to waive the fourteen (14) day notification rule if an earlier hearing is in their best interest. The written notification includes the purpose of the hearing.
- I. The general public is excluded from all hearings. Only those persons, including parent(s) and guardian, who have a direct interest in the case or in the work of the court are admitted.
- J. Persons having a legitimate interest in the proceedings may be admitted by the Authority. Observers must receive the permission of the Authority through the administrative officer prior to admission to a hearing. The resident and/or their parents must also confirm permission.
  - 1. Notice of hearings will be made in accordance with the Open and Public Meetings Act.
  - 2. Access to the public shall be limited to hearings for juveniles whose cases have already been made open to public access by the Juvenile Court.
  - 3. Victims may attend the hearings, as per policy.
  - 4. When physical space is limited, the media shall be asked to select one or more of their number, as space permits and as determined by the facility director, to attend the hearing prior to any general public admittance.
  - 5. No cameras (still or moving) or tape recorders are allowed in the building when the hearing is held, other than those used by the Authority for recording purposes.
  - 6. No victims, media representatives, or general public may attend the clinical and/or closed executive session of the Youth Parole Authority.
  - 7. After the hearing and upon written request, information regarding the outcome of an individual's hearing shall be honored within five workdays. Such requests for information will consist of an executive summary, which include the length of guideline established for the resident, date, and type of the next

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hearing, and general treatment considerations. Confidential, protected information is not shared.

8. All victims, media representatives, family members, of the offender and others, are required to submit to security checks, as deemed necessary by secure facility staff.
- K. Authority meetings are conducted in the conference room located at the secure care facility. The rooms are private, appropriately furnished, and are climate controlled.
- L. Guests and other youth are seated outside of the room and the door is closed during hearings. When a hearing is held on a specific youth, his or her guests, advocates and family members are invited into the hearing room.
- M. Family, friends (with the approval of the facility), professionals, interpreters, case managers, clergy, and minority representatives are allowed to be present at parole review hearings and may assist youth in case preparations. Youth are informed of this right, in writing, prior to the parole review hearing.
- N. The assigned secure care facility and case manager will work closely with the youth prior to the hearing to help prepare him/her for the hearing and ensure they understand its purpose.
- O. The Division will contract for legal services at no expense to the youth. Youth are legally represented at parole revocation hearings. If the youth wishes to waive counsel, the attorney will interview him or her and sign a document waiving counsel.
- P. Youth are to appear in person at initial, progress, parole review, rescission, pre-revocation, and revocation hearings.
- Q. Youth appearing at hearings are to be provided the opportunity for the expression of their views. The Authority members and Division staff will encourage youth input.
- R. If a youth cannot appear in person at a scheduled hearing due to illness, incarceration, absence without leave, or for any other reason, the hearing is continued until the next appropriate calendar date.

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- S. An electronic recording of all hearings is made. The recordings of the meetings are retained by the Administrative officer in accordance with the rules set forth by the State of Utah Division of Archives.
- T. Upon written request, and with the consent of the administrative officer and approval of the chair of the Authority, any hearing can be transcribed for information relating to the content of a hearing. Cost of the transcription is the burden of the requestor.
- U. The chairperson or designee will explain to the youth, at the conclusion of each hearing, the reason for the Authority's decision. The decision is put in writing, signed by the administrative officer, and forwarded to the youth within fourteen (14) days of the hearing date
- V. Youth may file an appeal if they have reason to believe the decision was inappropriate or they were not afforded their rights during the hearing in which an adverse decision was made. The Executive Director of the Department of Human Services or their designee will conduct an administrative review of the appeal.
- W. The purpose for the administrative review is to determine if a decision rendered by the Authority was based upon proper procedure, and if the rights of the youth were violated. The review does not include personal appearances.
- X. An appeal may be made by completing an appeal request and forwarding it to:

Department of Human Services  
Office of the Executive Director  
120 North 200 West, Room 319  
Salt Lake City, Utah 84103
- Y. An appeal must be filed within ten (10) days of receipt of written notice of the decision. The completed appeal form must include the following information:
  - 1. date of request;
  - 2. date and type of hearing;
  - 3. specific reasons why appeal is being filed;
  - 4. name and signature of youth filing appeal.
- Z. Youth will be provided assistance from secure care facility staff and/or case management in filing appeals.

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**IV. Continuous Renewal**

This policy shall be reviewed three (3) years from its effective date to determine its effectiveness and appropriateness. This policy may be reviewed before that time to reflect substantive change.

This policy has been reviewed by the Board of Juvenile Justice Services, and is approved upon the signature of the Director.

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Calvin C. Clegg, Chairman  
Youth Parole Authority

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Date

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Eldon Money, Chairman  
Board of Juvenile Justice Services

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Date

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Blake D. Chard, Director  
Division of Juvenile Justice Services

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Effective/Revision Date